



MASSACHUSETTS

Workforce Investment Act

WIA Communication No. 01-32

☒ **Policy** ☐ **Information**

To: Chief Elected Officials
Workforce Investment Board Chairs
Workforce Investment Board Directors
Title I Administrators
Career Center Directors
Title I Fiscal Officers
DET Regional Directors
DET Area Directors

cc: WIA State Partners

From: Jonathan Raymond, President, Commonwealth Corporation
Jack King, Director, Division of Employment and Training

Date: July 18, 2001

Subject: WIA Title I and Title III Grievance Procedures for Complaints and Grievances from Participants and Other Interested Parties.

Purpose: The purpose of this issuance is to provide guidance/clarification regarding requirements for local establishment of a system to process complaints/grievances that may be filed at the One Stop Career Centers within the Local Workforce Investment Areas. More specifically, it clarifies the need to establish, within the Local Workforce Investment Areas, a procedure for identifying and processing complaints/grievances that relate to the provision of services funded by the **Workforce Investment Act of 1998**.

Background: The U.S. Department of Labor, Employment and Training Administration, issued the Final Rules for the Workforce Investment Act in the Federal Register on Friday August 11, 2000 [20 CFR Part 652, et al.].

WIA Title I and Title II Grievance Procedures

\\FSDATA\VOL1\DATA\WebWia\Priority\01-32.dot

An equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.
TDD/TTY 1-800-439-2370 - Voice 1-800-439-0183

All local areas must have procedures in place to process complaints/grievances that allow them to address whatever problem a customer may present consistent with makeup of the Career Center(s) in the Local Workforce Investment Area (LWIA). Each Career Center and LWIA is unique due to partnerships and funding streams. The state can only issue general guidelines to remind Centers and LWIAs that, within their local system, they must accommodate those systems required by federal regulation.

Each local area and direct recipient of funds under WIA Titles I and III, excluding Job Corps, must establish and maintain a procedure for grievances and complaints. The specific grievance procedure requirements applicable to Job Corps are set forth at 20 CFR 670.990.

This issuance relates solely to those complaints/grievances that are made relative to services provided under Title I and Title III of the WIA. The State Agency that oversees WIA Title I is the Commonwealth Corporation (CommCorp) and the State Agency that oversees WIA Title III is the Division of Employment and Training (DET). These agencies are jointly issuing this guidance for One-Stop Career Centers and Local Workforce Investment Boards.

Each Agency has separately issued individual guidelines for processing WIA Title I and Title III complaints/grievances.

The CommCorp guideline CBWL Policy 00-19 issued May 31, 2000 has not changed.

The DET guideline, the Job Service Complaint Guide, has been recently revised to conform to the implementation of WIA and will be re-released, with minor changes, at a statewide training session in early fall, 2001. In the meantime the March 1999 Guide is still in effect. WIA merely incorporates the Wagner-Peyser Act into WIA Title III without any change to the substance of the Job Service Complaint System. Attached is a copy of a new Job Service Complaint System poster to be posted in all one-stop career centers. They should be placed in intake or customer service areas where they can be easily seen.

Each recipient of funds under WIA Titles I and III must designate a Grievance Officer who will have the initial responsibility to review complaints/grievances and to then determine which procedure needs to be followed. The complaint/grievance officer can draw upon the expertise of specific program staff knowledgeable regarding the rules and regulations of the program(s) for which the service complaint/grievance is brought.

Policy:

The Commonwealth's WIA grievance policies are specified herein. The complaint policies shall apply to all Massachusetts recipients of WIA Title I and Title III funds. Recipients may include state agencies, state and local workforce investment boards, One-Stop Career Center operators, Career Center partners, local WIA administrative entities, their service providers, including eligible training providers and entities providing non-WIA funds or resources to meet matching requirements or other conditions under WIA.

Any provisions contained in the Workforce Investment Act, its regulations, or other applicable laws and regulations shall apply even if they are not explicitly stated in this policy. Nothing in this policy shall be construed to contradict prevailing laws and requirements for equal opportunity matters.

Action

Required: This Policy is in effect for all Workforce Investment Act funds provided through Commonwealth Corporation and the Division of Employment and Training.

Please distribute copies of this policy to all appropriate individuals in your organization.

Effective: Effective immediately for all Workforce Investment Act funds provided through the Commonwealth Corporation and the Massachusetts Division of Employment & Training.

References: Workforce Investment Act (WIA) Section 188; WIA Regulations at 29 CFR Part 37.

Inquiries: Any questions related to this correspondence should be directed to:

Commonwealth Corporation (WIA Title I)

Spencer Klein at (617) 727-8158

Division of Employment & Training (WIA-Title III)

Jose Ocasio at (617) 626-5587

Or

Charles McElman at (617) 626-6441

Filing: Please file this in your notebook of previously issued WIA Communication Series Issuances as #01-32.



Massachusetts One-Stop Career Centers

If You Have A Complaint About:

- **The Massachusetts One-Stop Career Center(s) (Job Service)**

Or

- **A job you were sent to by the One-Stop Career Center**

See the One-Stop Career Center Manager or write to:

Si Usted Tiene Una Querella Acerca de:

- **El Massachusetts One-Stop Career Center(s) (Job Service)**

Or

- **El trabajo al cual el One-Stop Career Center le envío**

Vea al encargado del One-Stop Career Center o escriba a:

**Division of Employment and Training
Employment Service Policy and Systems Department
Charles F. Hurley Building
19 Staniford Street, 1st Floor
Boston, MA 02114**

Attn. Complaint Specialist

If you have a complaint about other employment related matters, the Career Center will provide you with information about agencies that may be able to assist you.

Si tiene una querella acerca de otros asuntos relacionados con su empleo, el Career Center le dará información sobre otras agencias que le puedan ayudar.